

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

PERMIT

FOR HAZARDOUS WASTE STORAGE

Permittee: Hamilton Teel Inc Permit Number: PAD 000 800 680

Facility: 101 N. Queen Street, Lancaster, Pa 17604.

This permit is issued by the United States Environmental Protection Agency (EPA) under authority of the Resource Conservation and Recovery Act Subtitle C, 42 U.S.C. §§6921-6931 (1976 and Supp. IV 1980) (RCRA) and EPA regulations to Hamilton Teel Inc (hereafter called the Permittee), to operate a hazardous waste management facility located in City of Lancaster, Pa., on 101 N Queen St., at latitude 40°-02'-23" North and longitude 076°-18'-22" West.

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein (Parts I, II, III, and IV consisting of pages 1-37 and Attachments 1-8) and the applicable regulations contained in 40 CFR Parts 260 through 264 and 124 and 270 as specified in the permit. Applicable regulations are those which are in effect on the date of issuance of this permit. (See 40 CFR §270.32(c).)

This permit is based on the assumption that the information submitted in the permit application attached to the Permittee's letter dated April 13, 1983 as modified by subsequent amendments dated Mar 21, 84 (hereafter referred to as the application) is accurate and that the facility will be constructed and/or operated as specified in the application. Any inaccuracies found in this information may be grounds for the termination or modification of this permit (see 40 CFR §270.41, §270.43 and §270.42) and potential enforcement action. The Permittee must inform EPA of any deviation from or changes in the information in the application which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

This permit is effective as of _____, and shall remain in effect until _____, unless revoked and reissued, or terminated in accordance with 40 CFR §270.41 or §270.43 or continued in accordance with 40 CFR §270.51(a).

PART I - STANDARD CONDITIONS

A. EFFECT OF PERMIT

This permit authorizes only the management of hazardous waste expressly described in this permit and does not authorize any other management of hazardous waste. EPA will consider compliance with the terms of this permit to be compliance with the requirements of RCRA Subtitle C and EPA regulations concerning the management of hazardous waste described in this permit. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local laws or regulations. Compliance with the terms of this permit does not constitute a defense to any action brought under Section 7003 of RCRA (42 USC §6973), Section 106 (a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC 9606(a) commonly known as CERCLA), or any other law governing protection of public health or the environment.

B. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR §270.41, §270.43, and §270.42. The filing of a request for a permit modification, revocation and reissuance, or termination or the notification of planned changes or anticipated

noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.

C. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

D. DEFINITIONS

For the purpose of this permit, terms used herein shall have the same meaning as those in Title 40 of the Code of Federal Regulations (40 CFR Parts 260 through 264 and 270), unless this permit specifically states otherwise; where terms are not otherwise defined, the meaning associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

"Regional Administrator" is the Regional Administrator of the United States Environmental Protection Agency for the Mid-Atlantic Region (Region III).

E. REPORTS, NOTIFICATIONS AND SUBMISSIONS TO THE REGIONAL ADMINISTRATOR

All reports, notifications or other submissions which are required by this permit to be sent or given to the Regional Administrator should be sent certified mail or given to:

Director, Hazardous Waste Management Division

EPA Region III

Curtis Building

6th and Walnut Streets

Philadelphia, Pennsylvania 19106

Telephone Number: (215) 597-8131

F. SIGNATORY REQUIREMENTS

All reports or other information requested by the Regional Administrator shall be signed and certified as required by 40 CFR §270.11.

G. DOCUMENTS TO BE MAINTAINED AT THE FACILITY SITE

The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and amendments, revisions and modifications to these documents:

1. Waste analysis plan required by 40 CFR §264.13 and this permit.

2. Personnel training documents and records required by 40 CFR §264.16(d) and this permit.
3. Contingency plan required by 40 CFR §264.53(a) and this permit.
4. Closure plan required by 40 CFR §264.112(a) and this permit.
5. Annually adjusted cost estimate for facility closure required by 40 CFR §264.142(d) and this permit.
6. Operating record required by 40 CFR §264.73 and Part II, Section E, S and G of this permit.
7. Inspection schedules and logs required by 40 CFR §264.15(b) and this permit.
8. Documents required by Part I, Sections H-9, H-12, H-13, and Part II, Sections M & N of this permit. (*under options*)

H. DUTIES AND REQUIREMENTS

1. Duty to Comply. The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit. Any other permit

noncompliance constitutes a violation of RCRA and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

2. Duty to Reapply. If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must submit a complete application for a new permit at least 180 days before this permit expires.
3. Permit Expiration. This permit and all conditions therein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application (see 40 CFR §§270.14 - 270.29 and §270.10) and through no fault of the Permittee, the Regional Administrator has not issued a new permit as set forth in 40 CFR §124.15.
4. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for the Permittee in an enforcement action to argue that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
5. Duty to Mitigate. In the event of noncompliance with this permit, the Permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.

6. Proper Operation and Maintenance. The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facility or similar systems to maintain compliance with the conditions of the permit.
7. Duty to Provide Information. The Permittee shall furnish to the Regional Administrator, within a reasonable time, any relevant information which the Regional Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Regional Administrator, upon request, copies of records required to be kept by this permit.
8. Inspection and Entry. The Permittee shall allow the Regional Administrator, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor, at reasonable times for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

9. Monitoring and Records.

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 40 CFR Part 261 or an equivalent method approved by the Regional Administrator. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical

Methods (SW-846, July 1982; 2nd ed.), Standard Methods of Waste Water Analysis (15th ed.; 1980) or an equivalent method as specified in the attached waste analysis plan.

b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least 3 years from the date of the sample, measurement, report or record. These periods may be extended by request of the Regional Administrator at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.

c. Records of monitoring information shall specify:

- (1) The dates, exact place, and times of sampling or measurements;
- (2) The individuals who performed the sampling or measurements;
- (3) The dates analyses were performed;
- (4) The individuals who performed the analyses;

(5) The analytical techniques or methods used; and

(6) The results of such analyses.

10. Reporting Planned Changes. The Permittee shall give notice to the Regional Administrator as soon as possible of any planned physical alterations or additions to the permitted facility. This notice must include a description of all incidents of noncompliance reasonably expected to result from the proposed changes.
11. Transfer of Permits. This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to 40 CFR §270.47(b)(2) or §270.42(d). Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264 and 270.
12. Twenty-four Hour Reporting. The Permittee shall report to the Regional Administrator any noncompliance which may endanger health or the environment. Information shall be provided orally within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. This report shall include the following:
 - a. Information concerning release of any hazardous waste that may endanger public drinking water supply sources.

b. Any information of a release or discharge of hazardous waste, or of a fire or explosion at the facility, which could threaten the environment or human health. The description of the occurrence and its cause shall include:

- (1) Name, address, and telephone number of the owner or operator;
- (2) Name, address, and telephone number of the facility;
- (3) Date, time, and type of incident;
- (4) Name and quantity of material(s) involved;
- (5) The extent of injuries, if any;
- (6) An assessment of actual or potential hazard to the environment and human health outside the facility, where this is applicable; and
- (7) Estimated quantity and disposition of recovered material that resulted from the incident.